

ADMINISTRATIVE PANEL DECISION

Circus Belgium S.A. v. Andrew Smirnov
Case No. D2026-2428

1. The Parties

The Complainant is Circus Belgium S.A., Belgium, represented by COGITUS SRL, Belgium.

The Respondent is Andrew Smirnov, United States of America.

2. The Domain Names and Registrar

The disputed domain names <casino-circus.net>, and <casino-circus.org> are registered with Global Domain Group LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 4, 2026. On June 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 5, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 1, 2026.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on July 15, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a Belgium company operating in the gaming, technology, and entertainment sector for over 30 years, as well as through online platforms, including “www.circus-casino.be” which holds licenses issued by the Belgian Gaming Commission (Commission des Jeux de Hasard), authorizing it to offer online casino games and sports betting.

The Complainant owns many trademark registrations for CIRCUS worldwide, including but not limited to:

- European Union Trademark Registration No. 018025773 for CIRCUS (figurative), registered on October 20, 2020;
- United Kingdom Trademark Registration No. UK00915030927 for CIRCUS, registered on December 16, 2016; and
- French Trademark Registration No. 4663983 for CIRCUS CASINO CARNAC (figurative), registered on December 18, 2020.

The Complainant also owns domain names containing “circus” and “casino”, including but not limited to:

<casinocircus.nl>, registered on September 25, 2009;
<circuscasino.nl>, registered on September 25, 2009.

The Respondent is Andrew Smirnov, from the United States of America.

The disputed domain names <casino-circus.net>, and <casino-circus.org> were registered on April 4, 2026, and both disputed domain names are active and resolve to an online pages highly similar to the Complainant’s official website and trademarks, offering gambling and online betting services.

Moreover, the disputed domain name <casino-circus.org> reproduces genuine corporate and address details corresponding to the Complainant’s French gaming operator, SAS Casino France.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

The Complainant argues that the disputed domain names are confusingly similar to the trademarks CIRCUS / CIRCUS CASINO CARNAC.

The Complainant alleges that there is no evidence that the Respondent has made demonstrable preparations to use the disputed domain names for legitimate purposes, nor is there any evidence that the Respondent is using the disputed domain names in connection with a noncommercial or fair use. The Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain names.

That being the case, the Complainant finds that the disputed domain names are likely to make Internet users assume that the disputed domain names offer services supplied by the Complainant.

According to the Complainant, it has prior rights over the trademarks CIRCUS and CIRCUS CASINO CARNAC and has not authorized the Respondent’s registration and use of the disputed domain names.

The Complainant's intellectual property rights for the CIRCUS / CIRCUS CASINO CARNAC trademarks and domain names predate the registration of the disputed domain names.

The Complainant argues that the registration and the use of the disputed domain names have been conducted in bad faith.

The Complainant requests the transfer of the disputed domain names.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain names are identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The marks CIRCUS / CIRCUS CASINO CARNAC are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the Complainant's trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names, such as those enumerated in the Policy or otherwise.

There is no evidence that the Respondent is making a legitimate noncommercial or fair use of the disputed domain names or that before any notice of the dispute, the Respondent has made use of, or demonstrable preparations to use the disputed domain names or a name corresponding to the disputed domain names in connection with a bona fide offering of goods or services.

The Panel finds that the compositions of the disputed domain names also carry a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel finds that the Respondent was aware of the Complainant's trademarks and domain names as the disputed domain names incorporate the marks CIRCUS and a part of the CIRCUS CASINO CARNAC and resolve to websites that redirect to pages offering gambling and online betting services and also display corporate and address details corresponding to the Complainant's French gaming operator, misleading Internet user to believe that the disputed domain names offer services provided by the Complainant.

Besides, the Complainant's trademark registrations and domain names predate the registration date of the disputed domain names.

Panels have held that the use of a domain name for illegal activity, here, claimed as passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <casino-circus.net>, and <casino-circus.org> be transferred to the Complainant.

/Mario Soerensen Garcia/

Mario Soerensen Garcia

Sole Panelist

Date: July 29, 2026